

## Community Pathways Waiver – **REVISED PROPOSAL Draft**

Service Type: Statutory Service

Service (Name):

Alternative Service Title: **EMPLOYMENT SERVICES**

HCBS Taxonomy:

Check as applicable

☐ Service is included in approved waiver. There is no change in service specifications.

☒ Service is included in approved waiver. The service specifications have been modified.

☐ Service is not included in the approved waiver.

### Service Definition:

- A. Employment Services provides the participant with a variety of flexible supports to help the participant to identify career and employment interest, find and keep a job including:
1. Discovery – a process to assist the participant in finding out who they are, what they want to do, and what they have to offer;
  2. Job Development – supports finding a job including customized employment and self-employment;
  3. Ongoing Job Supports – various supports a participant may need to successfully maintain their job.
  4. Follow Along Supports – periodic supports after a participant has transitioned into their job;
  5. Self-Employment Development Supports – supports to assist a participant whose discovery activities and profile indicate a specific skill or interest that would benefit from resource ownership or small business operation; and
  6. Co-Worker Employment Support -supports in a situation when an employer has identified that an onsite job coach would not be optimal, yet the participant could still benefit from additional supports.
- B. Discovery is a time limited comprehensive, person-centered, and community-based employment planning support service to assist the participant to identify the participant's abilities, conditions, and interests. Discovery includes:
1. A visit to a participant's home, a review of community employers, job trials, interest inventory to create a profile and picture resume; and
  2. The development of a Discovery Profile.
- C. Job Development is support for a participant to obtain an individual job in a competitive integrated employment setting in the general workforce, including:
1. Customized employment - a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both. It is based on an individualized match between the strengths, conditions, and interests of a job candidate and the identified business needs of an employer; and
  2. Self-employment - including exploration of how a participant's interests, skills and abilities might be suited for the development of business ownership.

- D. Ongoing Job Supports are supports in learning and completing job tasks either when beginning a new job, after a promotion, or after a significant change in duties or circumstances and individualized supports a participant may need to successfully maintain their job. Ongoing Job Supports include:
1. Job coaching (e.g. job tasks analysis and adaptations, self-management strategies, natural and workplace supports facilitation, and fading assistance), needed to complete job tasks like setting up workstations;
  2. The facilitation of natural supports in the work place;
  3. Systematic instruction and other learning strategies based on the participant's learning style and needs;
  4. Travel training to independently get to the job; and
  5. Personal care assistance, behavioral supports, and delegated nursing tasks to support the employment activity.
- E. Follow Along Supports:
1. Occurs after the participant has transitioned into their job.
  2. Ensure the participant has the assistance necessary to maintain their jobs; and
  3. Include at least two face to face contacts with the participant in the course of the month.
- F. Self-Employment Development Supports include assistance in the development of a business and marketing plan, including potential sources of business financing and other assistance in developing and launching a business.
- G. Co-Worker Employment Supports are time-limited supports provided by the employer to assist the participant, upon employment, with extended orientation and training beyond what is typically provided for an employee.

#### **SERVICE REQUIREMENTS:**

- A. Personal care assistance, behavioral supports, and delegated nursing tasks may not comprise the entirety of the service.
- B. Discovery activities shall be reimbursed based on the following milestones:
1. Milestone #1 - includes home visit, survey of the community near the individual's home, record reviews for pertinent job experience, education, and assessments.
  2. Milestone #2 – includes observation of the job seeker in a minimum of three (3) community-based situations in order to identify skills, interest, and learning style.
  3. Milestone #3 – includes discovery profile, picture and/or written resume, and job development plan from discovery meeting.
- C. Job Development is reimbursed based on an hourly basis.
- D. Ongoing Job Supports is reimbursed based on an hourly basis and includes a “fading plan” that notes the anticipated number of support hours needed.
- E. Follow Along Supports are reimbursed as one monthly payment.
- F. Self-Employment Development Supports shall be reimbursed based on one milestone for a business and marketing plan.

- G. Employment Services are provided by staff who has a DDA approved certification in employment.
- H. Participants that are promoted with new job tasks or changes positions or circumstances, can receive Ongoing Job Supports.
- I. Co-Worker Employment Supports are not intended to replace the support provider's work, rather, it is an additional mentoring/support role for which coworkers could receive additional compensation above what they receive in the course of their typical job responsibilities. The payment of this compensation is at the discretion of the employer.
- J. A participant's Person-Centered Plan may include a mix of employment and day services such as Day Habilitation, Community Development Services, Co-Worker Supports, and Transitional Employment provided at different times.
- K. Employment Services does not include:
  - 1. Volunteering, apprenticeships, or internships unless it is part of the discovery process and time limited; and
  - 2. Payment for supervision, training, supports and adaptations typically available to other workers without disabilities filling similar positions.
- L. Medicaid funds may not be used to defray the expenses associated with starting up or operating a business.
- M. Transportation to and from and within the activities will be provided or arranged by the provider and funded through the rate system. The provider shall use the mode of transportation which achieves the least costly, and most appropriate, means of transportation for the participant with priority given to the use of public transportation when appropriate.
- N. Division of Rehabilitation Services (DORS) service must be accessed first if the service the participant needs is provided and available by DORS and funding is authorized.
- O. Documentation must be maintained in the file of each participant receiving this service that the service is not available under a program funded under section 110 of the Rehabilitation Act of 1973 or the IDEA (20 U.S.C. 1401 et seq.).
- P. A relative (who is not a spouse or legally responsible person) of a participant in Self-Directed Services may be paid to provide this service in accordance with the applicable requirements set forth in Section C-2.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

- A. Discovery services are limited to once every two years unless otherwise authorized by the DDA.
- B. Job Development services are limited to 90 hours unless otherwise authorized by DDA
- C. Job Development and Ongoing Job Supports Community Development Services are limited to 40 hours per week total and may not exceed a maximum of eight (8) hours per day including other Meaningful Day Services (e.g. Community Development Services, Transitional Employment Services, and Day Habilitation services).

D. Co-Worker Employment Supports are limited to the first three months of employment unless otherwise authorized by the DDA.

**Service Delivery Method (check each that applies)**

☒ Participant Directed as specified in Appendix E  
☒ Provider Managed

**Specify whether the service may be provided by (check all that applies):**

☐ Legally Responsible Person  
☒ Relative  
☐ Legal Guardian

**Provider Specifications:** (Instructions list the following for each type of provider that can deliver the services):

Provider Category	Provider Type Title
Individual	Individual – for participant self-directed services
Agency	Approved DDA Employment Service Provider

**Provider Category:** Individual

**Provider Type:** Individual for participant self-directed services

**Provider Qualifications License (specify):**

**License (specify):**

**Certificate (specify):**

**Other Standard (specify):**

1. The following minimum standards are required:
  - a. Current first aid and CPR certification,
  - b. Successfully pass a criminal background investigation and any other required background checks and credential verifications as provided in Appendix C-2-1a., and
  - c. Staff must have DDA approved certification in employment.
2. Participants in self-directing services, as the employer, may require additional staffing requirements based on their preferences and level of needs such as training by individual/family on individual-specific information (including preferences, positive behavior supports, when needed, and disability-specific information).

**Verification of Provider Qualifications Entity**

**Responsible for Verification:**

- Fiscal Management Service providers for verification of participant specific qualifications

**Frequency of Verification:**

- Fiscal Management Services - prior to service delivery and annually

<b>Provider Category:</b> Agency
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**Provider Type:** Approved DDA Employment Service Provider

**Provider Qualifications License (specify):**

**License (specify):**

**Certificate (specify):**

**Other Standard (specify):**

Approved DDA Employment Service Provider and Approved Organized Health Care Delivery System as per COMAR Title 10 Chapter 22

Staff must have DDA approved certification in employment.

Personal Care staff must possess appropriate licenses/certifications as required by regulations based on service provided and needs of the individual at time of service.

**Verification of Provider Qualifications Entity**

**Responsible for Verification:**

- DDA for license
- Provider for staff licenses, certifications, and training

**Frequency of Verification:**

- DDA – annual for license
- Provider – prior to service delivery